

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GINA BEMPKINS,

Plaintiff,

v.

NANCY BERRYHILL,
ACTING COMMISSIONER OF
SOCIAL SECURITY,


Defendant.

3:16-CV-1137
(JUDGE MARIANI)

ORDER

AND NOW, THIS 6th DAY OF SEPTEMBER, 2017, upon review of Magistrate Judge Mehalchick's Report & Recommendation, (Doc. 19), for clear error and manifest injustice,¹ **IT IS HEREBY ORDERED THAT:**

1. The Report & Recommendation, (Doc. 19), is **ADOPTED**, for the reasons discussed therein.
2. The Commissioner's decision is **VACATED**.
3. The case is **REMANDED** to an Administrative Law Judge for further proceedings consistent with this Order and the Report & Recommendation.
4. The Clerk of Court is directed to **CLOSE** this case.


Robert D. Mariani
United States District Judge

¹ By letter dated August 22, 2017, the government informed this Court that it has waived its opportunity to object to the Report and Recommendation. (Doc. 20).